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Security Council Committee established pursuant to resolution 1737 (2006)

Note verbale dated 2 May 2008 from the Permanent Mission of Japan to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Japan to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006), and has the honour to transmit the annexed report pursuant to paragraph 13 of resolution 1803 (2008) on the steps taken by the Government of Japan with a view to implementing the relevant provisions of the above-mentioned resolution (see annex).

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Annex to the note verbale dated 2 May 2008 from the Permanent Mission of Japan to the United Nations addressed to the Chairman of the Committee

JAPAN

Report to the United Nations Security Council Committee established pursuant to paragraph 18 of United Nations Security Council Resolution 1737 (2006) (hereinafter "the Committee") with regard to the implementation of paragraphs 3, 5, 7, 8, 9, 10, 11 and 12 of United Nations Security Council Resolution 1803 (2008) (hereinafter "the Resolution").

The Government of Japan (hereinafter "the Government") has taken the following measures with a view to stringently implementing the relevant paragraphs of the Resolution.

1. Announcement by the Government on April 22, 2008

Based on the Resolution and the Cabinet approval of April 22, 2008, the Government announced that it would invoke "Measures based on the Foreign Exchange and Foreign Trade Act (Act No. 228 of 1948) (hereinafter "Foreign Exchange Act") to Freeze the Assets of Persons and Entities Related to Iran's Proliferation Sensitive Nuclear and Other Activities" in accordance with Foreign Exchange Act, to implement paragraph 7 of the Resolution.

In addition to the aforementioned paragraph, the Government announced that it would reinforce the implementation of the measures with regard to paragraphs 3, 5, 8, 9, 10, 11 and 12 of the Resolution, according to the relevant national legislation and system in force.

2. The measures taken by the Government

2-1 Paragraph 3

The Government has already taken, in accordance with the Law for the Establishment of the Ministry of Foreign Affairs and the Immigration Control and Refugee Recognition Act (hereinafter "Immigration Control Act"), necessary measures to exercise vigilance and restraint regarding the entry into or transit through its territory of individuals who are engaged in, directly associated with or providing support for Iran's proliferation sensitive nuclear activities or for the development of nuclear weapon delivery systems (hereinafter "Iran's nuclear and other activities"), and to notify the Committee of the entry into or transit through its territory of the 13 persons designated in Annex I to the Resolution, in addition to the 27 persons designated in the annexes to Resolutions 1737 (2006) and 1747 (2007).

Under these measures, the Ministry of Foreign Affairs, in accordance with the Law for the Establishment of the Ministry of Foreign Affairs, exercises strict vigilance in examination of entry/transit visas for the entry into or transit through the Japanese territory of individuals who are engaged in, directly associated with or providing support for Iran's nuclear and other activities, including those designated in Annex I to the Resolution as well as the annexes to Resolutions 1737 (2006) and 1747 (2007). The Ministry of Justice, in accordance with the Immigration Control Act, also exercises strict vigilance over the aforementioned individuals in landing examinations and examinations of applications for certificates of eligibility to reside in Japan.

The Government will notify, without delay, the Committee of the entry into or transit through its territory of the 40 persons designated in the annexes to the Resolution and Resolutions 1737 (2006) and 1747 (2007), as

well as other persons, if any, who will be additionally designated by the Security Council or the Committee.

2-2 Paragraph 5

The Government has already taken, in accordance with the Law for the Establishment of the Ministry of Foreign Affairs and the Immigration Control Act, necessary measures to prevent the entry into or transit through its territory of 5 individuals designated in Annex II to the Resolution as being engaged in, directly associated with or providing support for Iran's nuclear and other activities.

Under these measures, the Ministry of Foreign Affairs, in accordance with the Law for the Establishment of the Ministry of Foreign Affairs, exercises strict vigilance in examination of entry/transit visas for the entry into or transit through the Japanese territory of those 5 designated individuals in Annex II to the Resolution. The Ministry of Justice, in accordance with the Immigration Control Act, deports the 5 designated individuals in Annex II to the Resolution from Japan, besides exceptions which the Committee determines, as stipulated in paragraph 6 of the Resolution. In light of the Resolution, entry/transit permission will not be granted for those 5 individuals as well as other persons, if any, who will be additionally designated by the Security Council or the Committee, with exceptions mentioned above.

2-3 Paragraph 7

The Government has already taken, in accordance with the Foreign Exchange Act and the Cabinet approval, necessary measures to freeze the funds, other financial assets and economic resources, which are within the Japanese territory and owned or controlled by the 13 persons and 12

entities designated in Annexes I and III to the Resolution, in addition to the 27 persons and 23 entities designated in the annexes to Resolutions 1737 (2006) and 1747 (2007) as being engaged in, directly associated with or providing support for Iran's nuclear and other activities, and to ensure that any funds, financial assets or economic resources are prevented from being made available by any persons or entities within Japanese territory, to or for the benefit of these persons and entities.

Under these measures, payments to or by, and capital transactions with those designated in Annexes I and III to the Resolution, as well as the 27 persons and 23 entities designated in the annexes to Resolutions 1737 (2006) and 1747 (2007), are subject to licensing by the Minister for Finance or the Minister for Economy, Trade and Industry. In light of the Resolution, licenses will not be granted for these payments and capital transactions, except for those stipulated in paragraphs 13, 14 and 15 of Resolution 1737 (2006).

The Government will take necessary measures to freeze the funds, other financial assets and economic resources of other persons or entities, if any, who will be additionally designated by the Security Council or the Committee.

2-4 Paragraph 8

The Government has already taken, in accordance with the Foreign Exchange Act and regulations established under the said Act such as the Export Trade Control Order (Cabinet Order No. 378 of 1949) (for goods) and the Foreign Exchange Order (Cabinet Order No. 260 of 1980) (for technologies), necessary measures to prevent the supply, sale or transfer of all items, materials, equipment, goods and technology as specified in (a) and (b) of this paragraph.

Under these measures, exportation to Iran of all items, materials, equipment, goods and technology specified in (a) and (b) of paragraph 8 of the Resolution continues to be subject to licensing by the Minister for Economy, Trade and Industry. In light of the Resolution, licenses will not be granted for exportation to Iran of the aforementioned items, materials, equipment, goods and technology, except for those stipulated in (a) of this paragraph.

2-5 Paragraph 9

Japan has already exercised vigilance and taken a very restrictive policy, with regard to public provided financial support for trade with Iran, including the granting of export credits, guarantees or insurance to Japanese nationals or entities. No new contract has been made for extending Export Loans to Iran by Japan Bank for International Cooperation (JBIC) since April 2006, and no new long-term Trade Insurance has been provided to Iran by Nippon Export and Investment Insurance (NEXI) since June 2006.

Furthermore, the Ministry of Finance and the Ministry of Economy, Trade and Industry have already informed JBIC and NEXI of the requirements under the Resolution and advised them respectively to take those requirements into consideration.

2-6 Paragraph 10

While Japanese financial institutions remain vigilant over the transactions that could relate to Iran's nuclear and other activities, in accordance with Resolutions 1737 (2006) and 1747 (2007), the Government has advised financial institutions in the Japanese territory to exercise vigilance over the activities with all banks domiciled in Iran, in

particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad, and to thoroughly perform the duties of customer identification and suspicious transaction report based on the Act on Prevention of Transfer of Criminal Proceeds.

2-7 Paragraph 11 and 12

The Government has already taken necessary measures, in accordance with Japanese legislation and consistent with international law, to inspect the cargoes to and from Iran, of aircraft and vessels, at Japanese airports and seaports, owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line (IRISL), provided there are reasonable grounds to believe that the aircraft or vessel is transporting goods prohibited under either the Resolution, Resolution 1737 (2006) or Resolution 1747 (2007).

The Government, in cases when inspection mentioned in the paragraph above is undertaken, will submit a written report to the Security Council within five working days.